

# EXHIBIT E

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## Fighters claim UFC restricts earnings

By John Barr  
ESPN.com

SAN JOSE, Calif. -- A group of current and former mixed martial arts fighters is suing the company that owns the Ultimate Fighting Championship in what could evolve into a class-action antitrust lawsuit involving hundreds of fighters, according to one of the attorneys involved.

The lawsuit, the culmination of months of rumors about pending legal action, was filed against Zuffa LLC, the parent company of the UFC, in U.S. District Court for the Northern District of California. It has three named plaintiffs: current UFC middleweight [Cung Le](#) and former UFC fighters [Jon Fitch](#) and [Nathan Quarry](#).

It accuses the UFC of being a monopoly that forces out rival promotions and limits fighter earnings.

Rob Maysey, a Phoenix-based attorney and longtime critic of what he describes as the "restrictive" labor practices of the UFC, says he has tried for years to warn the world's largest promoter of MMA competitions about the prospect of an antitrust case.

"I called [the UFC] in 2006 and said, 'You have a choice.' I said, 'You guys are going to recognize a fighters' association or you're going to face an antitrust case,'" Maysey told "Outside the Lines" on Tuesday.

"They [the UFC] have become the only game in town and locked down the entire sport. ... At its heart, this lawsuit is about fundamental fairness. The world-class athletes that comprise the UFC are making enormous sacrifices and taking huge risks. It is a basic right that these athletes enjoy the fruits of their labors."

The lawsuit alleges that the UFC prevents fighters from working with other MMA promoters, profiting from individual marketing deals and signing with outside sponsors, all monopolistic practices that suppress fighters' incomes, according to the lawsuit.



Cung Le is the only active UFC fighter named in the lawsuit filing. He last fought on Aug. 23 in China.

"The antitrust laws of the United States were designed to prevent any company from dominating a market, artificially stifling competition and hoarding supercompetitive profits. That is exactly what happened here," Maysey said.

"They [the UFC] control our likeness," said Le, the only fighter currently under contract with the UFC to be listed as a plaintiff in the lawsuit. "They control our career, and that's a choice we as fighters should have. And we don't have that choice.

"I'm going to represent all the fighters that are scared to take a step up."

The Federal Trade Commission's Bureau of Competition opened an anti-trust investigation on Zuffa after the purchase of Strikeforce in 2011. The FTC closed that investigation in January 2012 but maintained the right to reopen at any time.

Le has clashed with UFC management in recent months over a disputed drug test after his August fight in Macau. He was initially suspended for a year after testing positive for elevated levels of human growth hormone, but in October that suspension was overturned when the UFC determined that the initial test results were not reliable.

After nearly drowning in \$44 million of debt as recently as 2005, according to CEO Lorenzo Fertitta, the UFC today is widely believed by industry insiders to be worth north of \$1 billion.

The lawsuit refers to the Las Vegas-based company as a \$2 billion outfit.

## OTL on UFC pay



In June 2012, ESPN's "Outside the Lines" took an in-depth look at the issue of fighter pay. Look back at the coverage from then. [Story](#)

"The UFC is aware of the action filed today but has not been served, nor has it had the opportunity to review the document," a UFC spokesperson said in a statement. "The UFC will vigorously defend itself and its business practices."

Maysey is a member of one of five law firms that have joined forces in what could eventually be certified by the court as a class-action lawsuit.

"All UFC fighters are paid a mere fraction of what they would make in a competitive market," said Benjamin Brown, another of the plaintiffs' attorneys.

"Rather than earning paydays comparable to boxers -- a sport with many natural parallels -- MMA fighters go substantially undercompensated despite the punishing nature of their profession," Brown added.

Litigation will be long and costly. Maysey pointed out that antitrust cases of this magnitude typically last three to five years and can cost \$3-5 million.

"We're prepared for a very long and tumultuous fight," said Quarry, who retired in 2010 with a 12-4 record, including an appearance on "The Ultimate Fighter" reality series in 2005.

"We have confidence we're in the right."

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